

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Sandra M. Marino
Debtor(s)

Bankruptcy Case No.: 19-22534-CMB
Issued Per Aug. 5, 2019 Proceeding
Chapter: 13
Docket No.: 25 - 5
Concil. Conf.: January 9, 2020 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 25, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jan. 9, 2020 at 09:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: August 9, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Sandra M. Marino
 Debtor

Case No. 19-22534-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 37

Date Rcvd: Aug 09, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 11, 2019.

db +Sandra M. Marino, 408 Stratmore Avenue, Pittsburgh, PA 15205-3522
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 15076758 +Capital One Bank/Kohls, Po Box 30281, Salt Lake City, UT 84130-0281
 15076764 +First Source Advantage, LLC, 205 Bryant Woods South, Buffalo, NY 14228-3609
 15076766 +MidAmerica Bank & Trust Company, 5109 S Broadband Lane, Sioux Falls, SD 57108-2208
 15076767 +MidAmerica Bank & Trust Company, Attn: Bankruptcy, 216 West Second St,
 Dixon, MO 65459-8048
 15076768 +Midland Funding, 320 East Big Beaver, Troy, MI 48083-1271
 15076771 +Paypal Credit/Bill Me Later, PO Box 5138, Lutherville Timonium, MD 21094-5138
 15076774 +Radius Global Solutions, PO Box 390846, Minneapolis, MN 55439-0846
 15076782 +TD Bank USA, N.A., Po Box 673, Minneapolis, MN 55440-0673
 15076781 +Target, Attn: Bankruptcy, Po Box 9475, Minneapolis, MN 55440-9475
 15076779 +Target, Po Box 673, Minneapolis, MN 55440-0673

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: kburkley@bernsteinlaw.com Aug 10 2019 03:06:22 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 10 2019 03:02:12
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15076754 +E-mail/Text: ally@ebn.phinsolutions.com Aug 10 2019 03:04:06 Ally Financial,
 Attn: Bankruptcy Dept, Po Box 380901, Bloomington, MN 55438-0901
 15076753 +E-mail/Text: ally@ebn.phinsolutions.com Aug 10 2019 03:04:06 Ally Financial,
 P.O. Box 380901, Bloomington, MN 55438-0901
 15076759 E-mail/Text: bankruptcy@capvs.com Aug 10 2019 03:06:09 Cavalry Portfolio Services,
 Po Box 27288, Tempe, AZ 85285
 15076755 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 10 2019 03:01:32 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15076757 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 10 2019 03:01:32 Capital One Bank,
 Po Box 30281, Salt Lake City, UT 84130-0281
 15085275 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 10 2019 03:01:51
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15076760 +E-mail/Text: bankruptcy@capvs.com Aug 10 2019 03:06:09 Cavalry Portfolio Services,
 Attn: Bankruptcy Department, 500 Summit Lake Ste 400, Valhalla, NY 10595-2322
 15078620 +E-mail/Text: bankruptcy@capvs.com Aug 10 2019 03:06:09 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
 15076761 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Aug 10 2019 03:05:27
 Comenity Bank/Gander Mountain, Po Box 182789, Columbus, OH 43218-2789
 15076762 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Aug 10 2019 03:05:27 Comenity Bank/gndrmtmc,
 Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
 15076763 E-mail/PDF: creditonebknofifications@resurgent.com Aug 10 2019 03:02:14
 Credit One Bank, N.A., PO Box 98873, Las Vegas, NV 89193-8873
 15076765 E-mail/Text: cio.bncmail@irs.gov Aug 10 2019 03:05:19 Internal Revenue Service,
 PO Box 7346, Philadelphia, PA 19101-7346
 15076769 +E-mail/Text: bankruptcydpt@mcmcg.com Aug 10 2019 03:05:53 Midland Funding,
 2365 Northside Dr Ste 300, San Diego, CA 92108-2709
 15082296 +E-mail/PDF: resurgentbknofifications@resurgent.com Aug 10 2019 03:14:19 PYOD, LLC,
 Resurgent Capital Services, PO Box 19008, Greenville, SC 29602-9008
 15076770 +E-mail/Text: paparalegals@pandf.us Aug 10 2019 03:06:31 Patenaude & Felix,
 501 Corporate Drive, Southpointe- Suite 205, Attn: Gregg L. Morris, Esquire,
 Canonsburg, PA 15317-8584
 15076773 +E-mail/Text: bankruptcyteam@quickenloans.com Aug 10 2019 03:06:12 Quicken Loans,
 Attn: Bankruptcy, 1050 Woodward Avenue, Detroit, MI 48226-1906
 15076772 +E-mail/Text: bankruptcyteam@quickenloans.com Aug 10 2019 03:06:12 Quicken Loans,
 1050 Woodward Ave, Detroit, MI 48226-1906
 15084899 +E-mail/Text: bankruptcyteam@quickenloans.com Aug 10 2019 03:06:12 Quicken Loans Inc.,
 635 Woodward Ave., Detroit, MI 48226-3408
 15077512 +E-mail/PDF: gecsed@recoverycorp.com Aug 10 2019 03:01:46 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15076777 +E-mail/PDF: gecsed@recoverycorp.com Aug 10 2019 03:01:28 Synchrony Bank/Care Credit,
 Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
 15076776 +E-mail/PDF: gecsed@recoverycorp.com Aug 10 2019 03:02:04 Synchrony Bank/Care Credit,
 Po Box 965036, Orlando, FL 32896-5036
 15076775 +E-mail/PDF: gecsed@recoverycorp.com Aug 10 2019 03:01:46 Synchrony Bank/Care Credit,
 C/o Po Box 965036, Orlando, FL 32896-0001
 15096034 +E-mail/Text: bncmail@w-legal.com Aug 10 2019 03:06:04 TD Bank USA, N.A.,
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132

TOTAL: 25

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 37

Date Rcvd: Aug 09, 2019

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr
15076756* Quicken Loans Inc.
15076778* +Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15076780* +Synchrony Bank/Care Credit, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
+Target, Po Box 673, Minneapolis, MN 55440-0673

TOTALS: 1, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 11, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 9, 2019 at the address(es) listed below:

Christopher M. Frye on behalf of Debtor Sandra M. Marino chris.frye@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;cgo
ga@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-ste
inberg.com
James Warmbrodt on behalf of Creditor Quicken Loans Inc. bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 6